

BEST AVAILABLE COPY

REMARKS

The above-identified application is United States application serial number 09/721,012 filed on November 21, 2000. Claims 1-34 and 50-62 are pending. Claims 35-49 are withdrawn from consideration. Claims 1-34 and 50-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrift et al. (US Pat. No. 6,188,985) in view of Saylor et al. (U.S. Pat. No. 6,501,832). Applicant respectfully traverses these rejections.

Rejection of Claims Under 35 USC §103

Claim 1 includes "an adaptive personalization module operable to monitor the user input during one or more previous sessions with the browser system, and to determine the order for presenting the requested information based on previous user input".

Claim 18 includes "an adaptive personalization module operable to monitor the user input during one or more previous sessions with the browser device, and to determine the order for presenting the requested information based on previous user input".

Claim 50 includes "adaptively determining the order for presenting the responsive information based on user input during one or more previous sessions with the mobile audio device".

Applicant respectfully traverses the rejection of the features in Claims 1, 18, and 50 under 35 U.S.C. § 103 over Thrift in view of Saylor on pages 2, 3, and 5, respectively, of the Office Action. The cited portion of Saylor discloses "[p]ersonalization module 40 also may present the user with a portal VPage, allowing the user quick access to the content they frequently access." Thus, Saylor discloses that a Vpage can be provided that specifies the type of content, i.e., frequently accessed content, to be presented, but not the order in which the frequently accessed content is presented as set forth in Claims 1, 18, and 50. There is nothing in Saylor or Thrift, alone or in combination, which discloses or suggests that the order of presentation of the information on the portal VPage in Saylor is based on previous user input. There is no way to determine the order in which Saylor presents the frequently accessed content because Saylor does not disclose or suggest such a feature. For example, the frequently accessed content in Saylor may instead be presented based on alphabetical order.

Page 13 of 17

Serial No. 09/721,012

April 26, 2005

KOSTNER BERTANI LLP
18601 MACARTHUR BLVD.
SUITE 700
IRVINE, CA 92612
TEL. (949) 251-4129
FAX (949) 251-0260

Claims 1, 18, and 50 are therefore distinguishable from Thrift and Saylor, both alone and in combination, for at least the foregoing reasons. Claims 2-17, 19-34, and 51-62 depend from Claims 1, 18, and 50, respectively, and include additional features that further distinguish them from the cited references.

In particular, Claims 3 and 21 include an adaptive personalization module operable to update a user's model based on whether the user input a command to skip playback of the requested information. Claims 4 and 22 include an adaptive personalization module operable to update a user's model based on whether the user input a command to fast-forward or rewind playback of the requested information. An example of a user's model is taught at least on pages 10 through 12, and pages 15 through 17 of the specification. The portions of Saylor cited to reject these claims include col. 16 lines 63-67, col. 19, lines 12-30, and col. 28, lines 50-59, which respectively pertain to a favorites button that allows the user to input a list of favorite voice pages for easy access; the portal VPage that allows the user to access frequently accessed content; and a personalization module that loads the user profile and stores the user information in session information for later use. The user profile includes information such as how the user is billed, identification information, and pages accessed. (Saylor, Col. 28, lines 55-59). Saylor does not disclose or suggest when content is determined to be frequently accessed, but rather allows the user to enter a list of favorite voice pages. There is no teaching or suggestion in Saylor that the favorites button is equivalent to skipping, fast-forwarding, or rewinding playback of the requested information. Further, one skilled in the art would not know from Saylor or Thrift, alone or in combination, nor would it be obvious, that modifying a user's model based on the user skipping, fast-forwarding, or rewinding playback of the requested information would cause content to be classified as frequently accessed. These features of Saylor, alone or in combination with Thrift, do not disclose or suggest, and therefore do not anticipate or make obvious the features set forth in Claims 3, 4, 21, and 22.

Claims 5 and 23 include an adaptive personalization module operable to update a user's model based on whether the user requested more detail on the requested information. The portions of Saylor cited to reject these claims include col. 19, lines 12-30 and col. 28, lines 50-59, which respectively pertain to the portal VPage that allows the user to access

KOESTNER BERTANI LLP
17662 MACARTHUR BLVD
SUITE 400
IRVINE CA 92612
TEL (949) 251-0260
FAX (949) 251-0260

frequently accessed content; and a personalization module that loads the user profile. Neither Saylor or Thrift, alone or in combination, disclose or suggest modifying a user's model based on whether the user requested more detail on the requested information. A user requesting more detailed information does not mean that the information is frequently accessed, as this may be the only time the user views the detailed information. In Saylor, each page of content has its own VCode and requesting different VCodes does not by itself make a particular page of content frequently accessed. Thus, the cited features of Saylor, alone or in combination with Thrift, do not disclose or suggest, and therefore do not anticipate or make obvious the features set forth in Claims 5 and 23.

Claims 6, 24, and 56 include generating a representation of each piece of content in the requested information, and the order of presentation of the requested information is determined based on the user's model and the representation. An example of a user's model is described at least on page 10 of the specification. An example of a process for creating representations of the responsive information is provided at least on page 18 of the specification. The portions of Saylor cited to reject these claims include col. 19, lines 12-30 and col. 28, lines 50-59, which respectively pertain to the portal VPage that allows the user to access frequently accessed content; and a personalization module that loads the user profile. Neither Saylor or Thrift, alone or in combination, disclose or suggest generating a representation of each piece of content in the requested information, and the order of presentation of the requested information being determined based on the user's model and the representation. A portal VPage showing content most frequently accessed does not include generating a representation of each piece of content in Saylor, since the content provider must provide representations, referred to as Vcodes, for the content as described in Col. 15 lines 35-52. Thus, the cited features of Saylor, alone or in combination with Thrift, do not disclose or suggest, and therefore do not anticipate or make obvious the features set forth in Claims 6, 24, and 56.

Claims 9, 10, 25, 26, 57, and 58 depend from respective claims 6, 24, and 56, and recite "the representation includes the frequency with which each word occurs in each piece of content." Note that Claims 57 and 58 have been amended to depend from Claim 56 instead of Claim 50 to provide proper antecedent basis for "the representation". The portions of

KDESTNER BERTANI LLP
18062 MACARTHUR BLVD
SUITE 400
IRVINE, CA 92612
TEL (949) 231-0260
FAX (949) 231-0260

Saylor cited to reject these claims include col. 19, lines 12-30 and col. 28, lines 50-59, which respectively pertain to the portal VPage that allows the user to access frequently accessed content; and a personalization module that loads the user profile. Neither Saylor or Thrift, alone or in combination, disclose or suggest a representation that of the content that includes the frequency with which each word occurs in each piece of content. Thus, the cited features of Saylor, alone or in combination with Thrift, do not disclose or suggest, and therefore do not anticipate or make obvious the features set forth in 9, 10, 25, 26, 57, and 58.

Claim 17 recites "the audio converter outputs the audio signal to a short-range wireless radio, the short-range wireless radio being operable to broadcast the audio signal to a channel on a car radio." The portions of Saylor cited to reject these claims include col. 16, lines 55-62, col. 17, lines 5-12, and col. 18, lines 45-65, which respectively pertain to a favorites button that allows the user to input a list of favorite voice pages for easy access; the portal VPage that allows the user to access frequently accessed content; and a personalization module that loads the user profile and stores the user information in session information for later use. The user profile includes information such as how the user is billed, identification information, and pages accessed. None of the cited features of Saylor disclose or suggest an audio converter that outputs the audio signal to a short-range wireless radio to broadcast the audio signal to a channel on a car radio. Thus, the cited features of Saylor, alone or in combination with Thrift, do not disclose or suggest, and therefore do not anticipate or make obvious the features set forth in Claim 17.

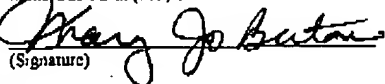
For at least the foregoing reasons, allowance of Claims 1-34, and 50-62 is respectfully requested.

KOESTNER BERTANI LLP
18602 MACARTHUR BLVD.
SUITE 400
JANINA, CA 92612
TEL (949) 251-0230
FAX (949) 251-0260

CONCLUSION

Applicant believes Claims 1-34 and 50-62 are in form for allowance and a notice to that effect is solicited. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 251-0250.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (703) 872-9306 on the date shown below:


(Signature)

Mary Jo Bertani
(Printed Name of Person Signing Certificate)

April 26, 2005
(Date)

Respectfully submitted,



Mary Jo Bertani
Attorney for Applicant(s)
Reg. No. 42,321

KOESTNER BERTANI LLP
18642 MACARTHUR BLVD.
SUITE 400
IRVINE, CA 92612
TEL (949) 251-0250
FAX (949) 251-0260